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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,079	04/05/2001	Gordon K. Arnold	RSW920000186US1	6611
48816	7590	05/05/2005		
VAN LEEUWEN & VAN LEEUWEN P.O. BOX 90609 AUSTIN, TX 78709-0609				
EXAMINER FIELDS, COURTNEY D				
ART UNIT		PAPER NUMBER		
2137				
DATE MAILED: 05/05/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/827,079

Applicant(s)

ARNOLD, GORDON K.

Examiner

Courtney D. Fields

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-15 is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-10, 16-17 and 19-26 is/are rejected.
- 7) ☒ Claim(s) 3 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 07 February 2005 have been fully considered but they are not persuasive.
2. The Examiner will submit a new, non-final office action with clear citations to the prior art.

Response to Amendment

3. Changes made to the specification have been accepted by the Examiner.

Drawings

4. The drawings filed 05 April 2001 have been accepted by the Examiner.

Allowable Subject Matter

5. **Claims 11-15 are allowed.**
6. The following is a statement of reasons for the indication of allowable subject matter: The present invention is directed towards a method and system for using voice recognition to reset a password. The previous rejection under O'Connell (US Patent No. 5,991,882) has been withdrawn. The prior art O'Connell discloses an automated system for resetting a computing system user's log-in password. However, O'Connell fail to authenticate a user using a voice signature.
7. Claims 3 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2,4-10,16-17, and 19-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Talmor et al. (U.S. Pub No. 2003/0135740). Referring to the rejection of claims 1 and 16, Talmor et al. discloses a method and computer product of providing a user with a password, comprising: receiving a call from the user (See page 12, Sections 0249-0251), receiving one or more spoken words from the user (See page 12, Section 0251), authenticating the received words using a voice signature corresponding to the user (See page 12, Section 0252), and delivering the password to the user in response to authenticating the user (See page 12, Section 0253).

As per claims 2 and 17, Talmor et al. discloses the claimed limitation wherein receiving an identifier corresponding to the user and validating the user based upon the identifier (See page 6, Sections 0133-0135).

As per claims 4 and 19, Talmor et al. discloses the claimed limitation wherein retrieving one or more system names in response to authenticating the user, receiving one or more selections from the user, wherein each selection corresponds with one of the

system names, and delivering the passwords corresponding to the one or more selected systems to the user (See page 6, Sections 0130-0132).

As per claims 5 and 20, Talmor et al. discloses the claimed limitation wherein the delivering is selected from the group consisting of recording the password on a voicemail account corresponding to the user, sending the password to an email account, telephoning a predetermined telephone number and audibly providing the password, providing the password to a wireless device, mailing the password to a predetermined postal address, and providing the password to the user during the call (See page 5, Sections 0107-0121 and page 6, Section 0138 and Section 0140).

As per claims 6 and 21, Talmor et al. discloses the claimed limitation wherein prompting the user for one or more random words, wherein the received spoken words are in response to the prompting (See page 9, Section 0169).

As per claims 7 and 22, Talmor et al. discloses the claimed limitation wherein logging data corresponding to the call in response to not authenticating the user (See page 7, Sections 0150-0151).

As per claims 8 and 23, Talmor et al. discloses the claimed limitation wherein receiving an identifier corresponding to the user, and retrieving the voice signature from a data store including one or more voice signatures based on the received identifier (See page 7, Section 0148).

As per claims 9 and 24, Talmor et al. discloses the claimed limitation wherein receiving a voice input from the user prior to receiving the call, determining the voice signature

based upon the voice input, and storing the voice signature (See page 7, Sections 0146-0148).

As per claims 10 and 25, Talmor et al. discloses the claimed limitation wherein logging information corresponding to the call in an audit data store (See page 8, Sections 0158-0159).

As per claim 26, Talmor et al. discloses the claimed limitation wherein means for receiving an identifier corresponding to the user and means for identifying the password based upon the identifier (See page 10, Sections 0208-0210).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kanevsky et al. (U.S. Patent No. 6,615,171) discloses a portable acoustic interface for remote access to automatic speech/speaker recognition server.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney D. Fields whose telephone number is 571-272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WJ
cdf

April 28, 2005

Matthew D. Smithers
MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137